

PATENT

ATTORNEY DOCKET NO.: 44481-5017-6

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
BOX CPA  
Washington, D.C. 20231

## CONTINUED PROSECUTION APPLICATION (CPA) of:

Applicant: RAMAKRISHNAN *et al.*  
Application No.: 09/003,810 Group Art Unit: 1644  
Filed: January 7, 1998 Examiner: P. Gambel, Ph.D.  
For: METHODS OF TREATING PDGF-MEDIATED DISEASES WITH BETA-PDGF  
RECEPTOR IMMUNOGLOBULIN POLYPEPTIDES

## REQUEST UNDER 37 C.F.R. § 1.53(d)

This is a request for filing a

☒ Continuation ☐ Divisional application under the Continued Prosecution Application procedure of 37 C.F.R. § 1.53(d) of application no. 09/003,810 filed January 7, 1998 entitled **METHODS OF TREATING PDGF-MEDIATED DISEASES WITH BETA-PDGF RECEPTOR IMMUNOGLOBULIN POLYPEPTIDES**

1. Please change the Attorney Docket No. to **44481-5017-6**.

2. Preliminary Amendment of April 15, 1998:

☒ Applicants respectfully submit that the requirements of 37 C.F.R. § 1.607 and 35 U.S.C 135(b) as they relate to U.S. Patent Nos. 5,620,687 and 5,976,584 (both assigned to Zymogenentics, Inc.) were timely met with the filing of the above-identified amendment.

FEBRUARY 27, 2001 --- I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
FACSIMILE TRANSMITTED TO EXAMINER PHIL GAMBEL, PH.D., TECHNOLOGY CENTER 1600.

(SIGNATURE)

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3. ☒ The filing fee is calculated on the basis of the claims existing in the application as amended at 2 above.

CLAIMS FOR FEE CALCULATION					
	Number Filed	Number Extra	at Rate of	Basic Application Fee Utility \$710.00 Design \$320.00	
Total Claims	19 - 20 =	0	0 x \$18.00 each =	+ \$	0.00
Independent Claims	3 - 3 =	0	— x \$80.00 each =	+\$	0.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$ 270.00	+ \$	0.00
SUBTOTAL				= \$	0.00
Reduction by ½ for filing by a small entity				- \$	355.00
TOTAL FEE				= \$	355.00

4. ☒ Small entity status is claimed and  
☐ a statement claiming small entity status is enclosed, or  
☒ a small entity statement was submitted with this application on January 7, 1998 and is still proper and desired.

## 5. Extension of Time

- ☒ Applicants believe that no extension of time is required, however, this conditional petition is being made to provide for the possibility that Applicants inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)-(d), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 390.00	\$195.00
[ ] three months	\$ 890.00	\$445.00
[ ] four months	\$1,390.00	\$695.00

- ☐ The Commissioner is authorized to charge necessary fees for such extension of time to Deposit Account No. 50-0310.

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## 6. Fee Payment

☐

Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.** This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☒

The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of **\$355.00** to cover the filing fee.

7. ☒

Please address all correspondence to Morgan, Lewis & Bockius LLP at  
**Customer Number: 009629**

8. ☐

Recognize as associate attorney \_\_\_\_\_  
(name, address, and registration no.)

9. ☒

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: February 27, 2001

By: Michael S. Tuscan

Michael S. Tuscan  
Reg. No. 43,210

Customer No. 009629

**MORGAN, LEWIS & BOCKIUS LLP**

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I hereby certify that this correspondence is being sent by facsimile transmission of the United States Patent and Trademark Office, Examiner **Phil Gambel**, Ph.D., Group Art Unit 1644, at Fax No. (703) 305-7401 on February 27, 2001.

  
James Dunmore

**Morgan, Lewis  
& Bockius LLP**  
C O U N S E L O R S   A T   L A W

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**PLEASE FORWARD TO  
Examiner Phillip Gambel  
IMMEDIATELY!!**

**FAX MESSAGE**

**Send to:**

(1) Name: Examiner Phillip Gambel (GAU 1644)

FAX Number: 703-305-7401

Firm: U.S. Patent & Trademark Office

Telephone Number: 703-308-3997

**From:**

Name: Michael S. Tuscan, Esq. - c/o Diane Brown (secretary) Floor: 6S

Telephone Number: 202-467-7870

Time Sent:

Date Sent: February 27, 2001

Number of Pages (INCLUDING COVER PAGE):4

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**Comments:**

In re Application of:

Vanitha RAMAKRISHNAN *et al.*

Application No.: 09/003,810

Filed: January 7, 1998

For: METHODS OF TREATING PDGF-MEDIATED DISEASES WITH BETA-PDGF RECEPTOR IMMUNOGLOBULIN POLYPEPTIDES

Group Art Unit: 1644

Examiner: Phillip Gambel, Ph.D.

Our Ref: 44481-5017-6

Further to our earlier telephone discussion, please see Continued Prosecution Application request attached.